

## **REMARKS**

### **Present Status of the Application**

The Office Action has rejected claims 1, 2, 9 and 17 under 35 U.S.C. 102(b) as being anticipated by Heurtaux. (US Application Publication 2002/0077069 A1).

Claims 3-8, 10, 18 and 19 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Heurtaux in view of Fuchimukai (U.S. Patent 6,741,287 B1).

After carefully considering the comments set forth in this Office Action and the cited references, applicants have amended claim 1 to more clearly define the claimed invention and cancelled claims 3 and 4. It is believed that the foregoing amendments add no new matter to the present invention. Upon entry of the foregoing amendments, claims 1-10 and 17-19 remain pending in the present application. Reconsideration and withdrawal of the Examiner's rejection are respectfully requested.

### **Discussion of Claim Rejections Under 35 U.S.C. Section 102(b) and 103 (a)**

*The Office Action has rejected claims 1, 2, 9 and 17 under 35 U.S.C. 102(b) as being anticipated by Heurtaux (hereinafter referred to as '069 application).*

*Claims 3-8, 10, 18 and 19 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Heurtaux in view of Fuchimukai (hereinafter referred to as '287 patent).*

In response thereto, Applicants submits that the pending claims patentably distinguish over the prior art for at least the reasons set forth below.

#### **(1) Response to Examiner's rejection of independent Claim 1**

Applicant has added the technical features of dependent Claims 3 and 4 into Claim 1 and cancelled Claims 3 and 4 accordingly.

'069 application does not disclose the technical feature of the extension plate 230 of the subject application at all. Moreover, the structure of the extension plate 230 of the subject application is different from that of the pin 56a of '287 patent.

In addition, "the extension plate 230 can also serve to cover a gap between the first casing 210 and the second casing 220 to improve the continuousness of the outer appearance of the handheld electronic device 200. Moreover, the outer surface of the second casing 220 is provided with serrations 234 to facilitate the user's finger to manipulate the second casing 220 to move from the first position to the second position and vice versa " (see lines 2-7 of page 10 of the specification of the subject application). However, the pin 56a is used to turn ON or OFF the front/rear position detection switch 56 (see lines 45-58 of Column 7 of the specification of '287 patent). Therefore, the function of the extension plate 230 of the subject application is completely different from that of the pin 56a of '287 patent.

In view of the above, the combination of '069 application and '287 patent fails to reach the technical feature of the amended Claim 1 of the subject application. Thus, the amended Claim 1 has non-obviousness over '069 application and '287 patent.

Thus the rejection under U.S.C. 102(b) about claim 1 is traversed.

**(2) Response to Examiner's rejections of independent Claims 9 and 17**

Similarly, the independent Claims 9 and 17 are amended in a fashion like Claim 1. Based on the above comment (1), the applicant respectfully submits that the amended

independent Claims 9 and 17 also have non-obviousness over a combination of '069 application and '287 patent.

Thus the rejection under U.S.C. 102(b) about claims 9 and 17 is traversed.

(3) Since claims 2-8, 10, 18 and 19 are respectively depend on claims 1, 9 and 17 directly or indirectly, they also have novelty and non-obviousness over the prior art for at least the same reasons.

**CONCLUSION**

For at least the foregoing reasons, it is believed that all the pending claims of the present application patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,

Belinda Lee

Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office  
7<sup>th</sup> Floor-1, No. 100  
Roosevelt Road, Section 2  
Taipei, 100  
Taiwan  
Tel: 011-886-2-2369-2800  
Fax: 011-886-2-2369-7233  
Email: [belinda@jcipgroup.com.tw](mailto:belinda@jcipgroup.com.tw)  
[Usa@jcipgroup.com.tw](mailto:Usa@jcipgroup.com.tw)